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March 6, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
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From: William T Fujioka
Chief Executive Officer

WASHINGTON, D.C. UPDATE - SENATE JUDICIARY COMMITTEE MARK-UP OF GUN VIOLENCE LEGISLATION

On March 7, 2013, the Senate Judiciary Committee is scheduled to consider and vote on the following four gun violence related bills, including **County-supported S. 150 (Feinstein), Assault Weapons Ban of 2013** and a modified version of S. 54 (Leahy, D-VT), Stop Illegal Trafficking in Firearms Act of 2013.

County-supported S. 150 (Feinstein), Assault Weapons Ban of 2013

This measure reinstates and strengthens the 1994 assault weapons ban, which expired in 2004, and bans the sale, transfer manufacture, and importation of semiautomatic rifles and pistols that can accept detachable magazines with a capacity of more than 10 rounds and with at least one military feature. Any weapon that is lawfully possessed as of the date of the bill's enactment would be grandfathered in (exempt), but background checks would be required on all sales or transfers of grandfathered-in assault weapons.

While a majority of Democrats on the Judiciary Committee are co-sponsors of S. 150, the bill is strongly opposed by the National Rifle Association, among others, and faces the largest challenge in terms of possible consideration by the full Senate compared to the other three measures described below.

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S. 54 (Leahy, D-VT), Stop Illegal Trafficking in Firearms Act of 2013

The measure, as introduced on January 22, 2013 by Senator Leahy, Chairman of the Senate Judiciary Committee, would establish penalties for receiving or transferring a firearm or ammunition, knowing or having reasonable cause to believe that it will be used to commit a crime of violence, a drug trafficking crime, or other specified crimes; among other provisions.

On March 4, 2013, Senator Leahy announced that a bipartisan agreement was reached with Senators Collins (R-ME), Durbin (D-IL), Gillibrand (D-NY), and Kirk (R-IL) on legislation to combat straw purchasing and gun trafficking that will be considered instead by the Senate Judiciary Committee on March 7, 2013. The revised version of S. 54 incorporates portions of a separate anti-trafficking bill, S. 179, introduced by Senators Gillibrand and Kirk. The measure would prohibit the trafficking and straw purchase of firearms and strengthen the law prohibiting material false statements when purchasing a firearm. The bill also establishes tough penalties for anyone who purchases a firearm or ammunition with the intent to transfer it to someone else, particularly in cases involving crimes of violence or drug trafficking, and expands existing trafficking law to make it a crime for an individual to smuggle firearms out of the United States.

Updated bill language for S. 54 is not yet available and may not be in print until after the Judiciary Committee considers the bill. This measure has garnered the most bipartisan support so far out of the four bills being considered by the Committee.

S. 374 (Schumer, D-NY), Protecting Responsible Gun Sellers Act of 2013

The legislation, as introduced on February 25, 2013, declares that: 1) Congress supports the right to bear arms, found in the Second Amendment to the Constitution, and the existing prohibition on a national firearms registry; 2) the U.S. Department of Justice should make it a top priority to work with states to swiftly input missing records, including mental health records, in the background check system; and 3) if U.S. citizens agree that in order to promote safe and responsible gun ownership, criminals and the mentally ill should be prohibited from possessing firearms, it should be incumbent upon all citizens to ensure weapons are not being transferred to such people. Media reports indicate that Senators Schumer and Coburn (R-OK) are currently in negotiations regarding potential revisions to S. 374 which may result in bipartisan support for the measure.

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S. 146 (Boxer), School Safety Enhancements Act of 2013

The bill, as introduced on January 24, 2013 by Senator Boxer and cosponsored by Senators Collins (R-ME) and Blumenthal (D-CT), would authorize school security grants by the Office of Community Oriented Policing Services (COPS) to be used for the installation of surveillance equipment and the establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations. S. 146 authorizes appropriations for such a grant program for Federal Fiscal Year (FFY) 2014 through FFY 2023, among other provisions. This measure is expected to be approved by the Senate Judiciary Committee.

This office will continue to provide updates on Federal gun violence measures and will apprise the Board of the outcome of the Senate Judiciary Committee's action on the above bills.

WTF:RA
MR:OR:ma

c: All Department Heads
Legislative Strategist